ORDINANCE NUMBER 10-10556

AN ORDINANCE AMENDING CHAPTER 8, ARTICLE I, DIVISION 5 OF THE SALINA CODE ADOPTING THE 2006 NATIONAL ELECTRICAL CODE AND LOCAL AMENDMENTS.

BE IT ORDAINED by the Governing Body of the City of Salina, Kansas:

Section 1. That Division 5 of Chapter 8, Article I of the Salina Code is hereby amended to read as follows:

"DIVISION 5. ADOPTION OF ELECTRIC CODE WITH AMENDMENTS

Sec. 8-146. National Electrical Code adopted.
There is hereby adopted, by reference, by the city for the purpose of providing minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, location, operation, alteration repair and maintenance of electrical wiring and apparatus for the utilization of electric current, that certain electrical code known as the National Electrical Code, as recommended and published by the National Fire Protection Association, being particularly the 2005 edition including Annex G but not including any other annexes thereto and except as further amended in this article of the Salina Code, of which not fewer than three (3) copies have been, and are now filed in the office of the city clerk and the same are hereby incorporated as fully as if set out at length herein and the provisions thereof shall be controlling in the construction and maintenance of all buildings and structures therein contained within the corporate limits of the city.

Sec. 8-147. Amendment to Article 80.2 of the National Electrical Code.
[Article 80.2 is hereby amended to read as follows:]
80.2 Definitions.
Authority Having Jurisdiction. The organization, office, or individual responsible for approving equipment, materials, an installation, or a procedure. As used in this code the Authority Having Jurisdiction shall mean the City of Salina.
Chief Electrical Inspector. An electrical inspector who either is the authority having jurisdiction or is designated by the authority having jurisdiction and is responsible for administering the requirements of this *Code*. As used in this code the Chief Electrical Inspector shall mean the Building Official.
Electrical Inspector. An individual meeting the requirements of 80.27 and authorized to perform electrical inspections.

Sec. 8-148. Amendment to Article 80.15 of the National Electrical Code.
[Article 80.15 and all of its subsections is hereby amended to read as follows:]
80.15 Appeals. Appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code shall be heard and decided by the Building Advisory Board. See Article II, Chapter 8 of Salina Municipal Code

Sec. 8-149. Amendment to Article 80.19 of the National Electrical Code.
[Article 80.19 and all of its subsections is hereby amended to read as follows:]
80.19 Permits and Approvals. Permits required No person shall install or repair, change or add to any wiring for the transmitting of electric current for light, heat or power or install or repair any lighting, fixtures, devices, disconnects, service or control equipment that has been installed in or upon any building in the city without the owner, electrical contractor or person doing such work first obtaining a permit covering such work from the Department of Building Services, except that no permit shall be required to execute any of the classes of electrical work specified in the following:

(1) Installation or replacement of equipment such as lamps and of electric utilization equipment approved for connection to suitable permanently installed receptacles. Replacement of flush or snap switches, fuses, lamp sockets, and receptacles, and other minor maintenance and repair work, such as replacing worn cords and tightening connections on a wiring device
(2) The process of manufacturing, testing, servicing, or repairing electric equipment or apparatus

(3) No permit shall be required for installation of low-voltage circuits.

Permits and approvals shall conform to 80.19(A) through (H).

(A) Application.

(1) Activity authorized by a permit issued under this *Code* shall be conducted by the permittee or the permittee's agents or employees in compliance with all requirements of this *Code* applicable thereto and in accordance with the approved plans and specifications. No permit issued under this *Code* shall be interpreted to justify a violation of any provision of this *Code* or any other applicable law or regulation. Any addition or alteration of approved plans or specifications shall be approved in advance by the authority having jurisdiction, as evidenced by the issuance of a new or amended permit.

(2) A copy of the permit shall be posted or otherwise readily accessible at each work site or carried by the permit holder as specified by the authority having jurisdiction.

*(B) Content***.** Permits shall be issued by the authority having jurisdiction and shall bear the name and signature of the authority having jurisdiction or that of the authority having jurisdiction's designated representative. In addition, the permit shall indicate the following:

(1) Operation or activities for which the permit is issued
(2) Address or location where the operation or activity is to be conducted
(3) Name and address of the permittee
(4) Permit number and date of issuance
(5) Period of validity of the permit
(6) Inspection requirements

(C) *Issuance of Permits.* The authority having jurisdiction shall be authorized to establish and issue permits, certificates, notices, and approvals, or orders pertaining to electrical safety hazards pursuant to 80.23.

(D) *Fees*. The fee for each permit required by this code shall be as set forth in the fee schedule adopted pursuant to section 2-2 of the Salina Code of Ordinances.

(E) *Inspection and Approvals.*

(1) Upon the completion of any installation of electrical equipment that has been made under a permit other than an annual permit, it shall be the duty of the person, firm, or corporation making the installation to notify the Electrical Inspector having jurisdiction, who shall inspect the work within a reasonable time.

(2) Where the Inspector finds the installation to be in conformity with the statutes of all applicable local ordinances and all rules and regulations, the Inspector shall notify such authorization to the supplier of electric service. When a certificate of temporary approval is issued authorizing the connection of an installation such certificates shall be issued to expire at a time to be stated therein and shall be revocable by the Electrical Inspector for cause.

(3) When any portion of the electrical installation within the jurisdiction of an Electrical Inspector is to be hidden from view by the permanent placement of parts of the building, the person, firm, or corporation installing the equipment shall notify the Electrical Inspector, and such equipment shall not be concealed until it has been approved by the Electrical Inspector provided that on large installations, where the concealment of equipment proceeds continuously, the person, firm, or corporation installing the equipment shall give the Electrical Inspector due notice in advance, and inspections shall be made periodically during the progress of the work.

(4) If, upon inspection, any installation is found not to be fully in conformity with the provisions of Article 80, and all applicable ordinances, rules, and regulations, the Inspector making the inspection shall at once forward to the person, firm, or corporation making the installation a written notice stating the defects that have been found to exist.

(F) *Revocation of Permits.* Revocation of permits shall conform to the following:

(1) The authority having jurisdiction shall be permitted to revoke a permit or approval issued if any violation of this *Code* is found upon inspection or in case there have been any false statements or misrepresentations submitted in the application or plans on which the permit or approval was based.

(2) Any attempt to defraud or otherwise deliberately or knowingly design, install, service, maintain, operate, sell, represent for sale, falsify records, reports, or applications, or other related activity in violation of the requirements prescribed by this *Code* shall be a violation of this *Cod*e. Such violations shall be cause for

immediate suspension or revocation of any related licenses, certificates, or permits issued by this jurisdiction. In addition, any such violation shall be subject to any other criminal or civil penalties as available by the laws of this jurisdiction.

(3) Revocation shall be constituted when the permittee is duly notified by the authority having jurisdiction.

(4) Any person who engages in any business, operation, or occupation, or uses any premises, after the permit issued therefore has been suspended or revoked pursuant to the provisions of this *Cod*e, and before such suspended permit has been reinstated or a new permit issued, shall be in violation of this *Cod*e.

(5) A permit shall be predicated upon compliance with the requirements of this *Code* and shall constitute written authority issued by the authority having jurisdiction to install electrical equipment. Any permit issued under this *Code* shall not take the place of any other license or permit required by other regulations or laws of this jurisdiction.

(6) The authority having jurisdiction shall be permitted to require an inspection prior to the issuance of a permit.

(7) A permit issued under this *Code* shall continue until revoked or for the period of time designated on the permit. The permit shall be issued to one person or business only and for the location or purpose described in the permit. Any change that affects any of the conditions of the permit shall require a new or amended permit.

(G) Applications and Extensions. Applications and extensions of permits shall conform to the following:

(1) Every permit issued by the Building Official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once.

(2) Applications for permits shall be made to the authority having jurisdiction on forms provided by the jurisdiction and shall include the applicant's answers in full to inquiries set forth on such forms. Applications for permits shall be accompanied by such data as required by the authority having jurisdiction, such as plans and specifications, location, and so forth. Fees shall be determined as required by local laws.

(3) The authority having jurisdiction shall review all applications submitted and issue permits as required. If an application for a permit is rejected by the authority having jurisdiction, the applicant shall be advised of the reasons for such rejection. Permits for activities requiring evidence of financial responsibility by the jurisdiction shall not be issued unless proof of required financial responsibility is furnished.

Sec. 8-150. Amendment to Article 80.27 of the National Electrical Code.

Article 80.27 and all of its subsections is hereby deleted in its entirety.

Sec. 8-151. Amendment to Article 210.12 of the National Electrical Code.

[Article 210.12 is hereby amended to read as follows:]

210.12 Arc-Fault Circuit-Interrupter Protection.

(A) Definition: Arc-Fault Circuit Interrupter. An arc-fault circuit interrupter is a device intended to provide protection from the effects of arc faults by recognizing characteristics unique to arcing and by functioning to de-energize the circuit when an arc fault is detected.

(B) Dwelling Unit Bedrooms. All 120-volt, single phase, 15- and 20-ampere branch circuits supplying receptacle outlets installed in dwelling unit bedrooms shall be protected by a listed arc-fault circuit interrupter~~,~~

Branch/feeder AFCIs shall be permitted to be used to meet the requirements of 210.12(B)

Exception: The location of the arc-fault circuit interrupter shall be permitted to be at other than the origination of the branch circuit in compliance with (a) and (b):

(a) The arc-fault circuit interrupter installed within 1.8m (6 ft) of the branch circuit over-current device as measured along the branch circuit conductors.
(b) The circuit conductors between the branch circuit over-current device and the arc-fault circuit interrupter shall be installed in a metal raceway or a cable with a metallic sheath.

Sec. 8-152. Amendment to Article 210.63 of the National Electrical Code.
[Article 210.63 is hereby amended to read as follows:]
210-63. Heating, Air-Conditioning, and Refrigeration Equipment Outlet. A 125-volt, single-phase, 15- or 20-ampere-rated receptacle outlet shall be installed at an accessible location for the servicing of heating, air-conditioning, and refrigeration equipment. This is not required for replacement of existing equipment in the same location. The receptacle shall be located on the same level and within twenty-five ft. (7.62 m) of the heating, air-conditioning, and refrigeration equipment. The receptacle outlet shall not be connected to the load side of the equipment disconnecting means.

Exception: A receptacle outlet shall not be required at one- and two-family dwellings for the service of evaporative coolers.

Sec. 8-153. Amendment to Article 230.70 of the National Electrical Code.
[Article 230. is hereby amended to read as follows:]
230.70 General. Means shall be provided to disconnect all conductors in a building or other structure from the service-entrance conductors.
(A) Location. The service disconnecting means shall be installed in accordance with 230.70(A)(1), (2), and (3).
(1) Readily Accessible Location. The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure or inside nearest the point of entrance of the service conductors. For one and two family dwellings, the length of service conductors between the meter and the service disconnect shall not exceed 10 feet. For all other buildings where the service disconnecting means is located inside a building or structure, that portion of the service conductors located inside the building or structure shall not exceed 10 feet in length.
(Note: See 230.6 - Conductors considered outside the building)
(2) Bathrooms. Service disconnecting means shall not be installed in bathrooms.
(3) Remote Control. Where a remote control device(s) is used to actuate the service disconnecting means, the service disconnecting means shall be located in accordance with 230.70(A)(1).
(B) Marking. Each service disconnect shall be permanently marked to identify it as a service disconnect.
(C) Suitable for Use. Each service disconnecting means shall be suitable for the prevailing conditions. Service equipment installed in hazardous (classified) locations shall comply with the requirements of Articles 500 through 517.

Sec. 8-154. Amendment to Article 300.22 of the National Electrical Code.
Article 300.22 is hereby amended to read as follows:
300.22. Wiring in Ducts, Plenums, and Other Air-Handling Spaces. The provisions of this section apply to the installation and uses of electric wiring and equipment in ducts, plenums, and other air-handling spaces.
(A) Ducts for Dust, Loose Stock, or Vapor Removal. No wiring systems of any type shall be installed in ducts used to transport dust, loose stock, or flammable vapors. No wiring system of any type shall be installed in any duct, or shaft containing only such ducts, used for vapor removal or for ventilation of commercial-type cooking equipment.
(B) Ducts or Plenums Used for Environmental Air. Only wiring methods consisting of Type MI cable, Type MC cable employing a smooth or corrugated impervious metal sheath without an overall nonmetallic covering, electrical metallic tubing, flexible metallic tubing, intermediate metal conduit, or rigid metal conduit without an overall nonmetallic covering shall be installed in ducts or plenums specifically fabricated to transport environmental air. Flexible metal conduit and liquidtight flexible metal conduit shall be permitted, in lengths not to exceed 1.2 m (4 ft), to connect physically adjustable equipment and devices permitted to be in these ducts and

plenum chambers. The connectors used with flexible metal conduit shall effectively close any openings in the connection. Equipment and devices shall be permitted within such ducts or plenum chambers only if necessary for their direct action upon, or sensing of, the contained air. Where equipment or devices are installed and illumination is necessary to facilitate maintenance and repair, enclosed gasketed-type luminaires (fixtures) shall be permitted.

(C) Other Space Used for Environmental Air. This section applies to space used for environmental air-handling purposes other than ducts and plenums as specified in 300.22(A) and (B). It does not include habitable rooms or areas of buildings, the prime purpose of which is not air handling.

Exception: This section shall not apply to the joist or stud spaces of dwelling units governed by the International Residential Code where the wiring passes through such spaces.

(1) Wiring Methods. The wiring methods for such other space shall be limited to totally enclosed, non-ventilated, insulated busway having no provisions for plug-in connections, Type MI cable, Type MC cable without an overall nonmetallic covering, Type AC cable, or other factory-assembled multi-conductor control or power cable that is specifically listed for the use, or listed prefabricated cable assemblies of metallic manufactured wiring systems without nonmetallic sheath. Other types of cables and conductors shall be installed in electrical metallic tubing, flexible metallic tubing, intermediate metal conduit, rigid metal conduit without an overall nonmetallic covering, flexible metal conduit, or, where accessible, surface metal raceway or metal wireway with metal covers or solid bottom metal cable tray with solid metal covers.

(2) Equipment. Electrical equipment with a metal enclosure, or with a nonmetallic enclosure listed for the use and having adequate fire-resistant and low-smoke-producing characteristics, and associated wiring material suitable for the ambient temperature shall be permitted to be installed in such other space unless prohibited elsewhere in this *Cod*e.

Exception: Integral fan systems shall be permitted where specifically identified for such use.

(D) Information Technology Equipment. Electric wiring in air-handling areas beneath raised floors for information technology equipment shall be permitted in accordance with Article 645.

Sec. 8-155. Amendment to Article 600.5 of the National Electrical Code.

[Article 600.5 is hereby amended to read as follows:]

600.5 Branch Circuits.

(A) Required Branch Circuit. Where cord connected electric signs or outline lighting systems are to be installed at entrances to commercial buildings or commercial occupancies accessible to pedestrians at least one outlet in an accessible location for sign or outline lighting system use shall be provided. The outlet(s) shall be supplied by a branch circuit rated at least 20 amperes that supplies no other load. Service hallways or corridors shall not be considered accessible to pedestrians.

(B) Rating. Branch circuits that supply signs shall be rated as follows.

(1) Incandescent and Fluorescent. Branch circuits that supply signs and outline lighting systems containing incandescent and fluorescent forms of illumination shall be rated not to exceed 20 amperes.

(2) Neon. Branch circuits that supply neon tubing installations shall not be rated in excess of 30 amperes.

(C) Wiring Methods. Wiring methods used to supply signs shall comply with 600.5(C)(1), (C)(2), and (C)(3).

(1) Supply. The wiring method used to supply signs and outline lighting systems shall terminate within a sign, an outline lighting system enclosure, a suitable box, or a conduit body.

(2) Enclosures as Pull Boxes. Signs and transformer enclosures shall be permitted to be used as pull or junction boxes for conductors supplying other adjacent signs, outline lighting systems, or floodlights that are part of a sign and shall be permitted to contain both branch and secondary circuit conductors.

(3) Metal Poles. Metal poles used to support signs shall be permitted to enclose supply conductors, provided the poles and conductors are installed in accordance with 410.15(B)."

Section 2. That the existing Division 5 of Chapter 8, Article I of the Salina Code is hereby repealed.

Section 3. That this ordinance shall be in full force and effect from and after its adoption and 90 days after publication once in the official city newspaper.

Introduced: July 12, 2010
Passed: July 19, 2010

Aaron G. Peck, Mayor

[SEAL]
ATTEST:

Lieu Ann Elsey, CMC, City Clerk